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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/827,018

04/05/2001

Tamara C. Baker

4833

28653

7590

07/29/2004

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EXAMINER

PHAM, THOMAS K

ART UNIT

PAPER NUMBER

2121

DATE MAILED: 07/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/827,018

Applicant(s)

BAKER ET AL.

Examiner

Thomas K Pham

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 April 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 10/23/2002.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

First Action on the Merits

1. Claims 1-27 of U.S. Application 09/827,018 filed on 04/04/2001 are presented for examination.

Quotations of U.S. Code Title 35

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claim Rejections - 35 USC § 102

3. Claims 1-27 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,091,518 (“Anabuki”).

Regarding claims 1 and 16

Anabuki teaches distributing color corrected images to a client computer over a computer network, comprising: a cache of color corrected images, each image corrected according to one of a finite number of sets of image display characteristics (col. 9 line 62 to col. 10 line 3, “introduces a cache ... connected to the network”); a caching server to receive an image request from the client computer and connected to the cache to select a color corrected image from the cache in response to the request (col. 10 lines 4-15, “In the WWW server 100a ... of the WWW server 100a”); and a color server connected to the caching server to receive the image request

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and to select an image in response to the request when the caching server cannot select an image from the cache in response to the request (col. 10 lines 25-58, "In the WWW browser 300 ... section 309 for the user").

Regarding claim 2

Anabuki teaches the color server further comprises: a color server to color correct the selected image (col. 10 lines 44-55, "A color information ... the color conversion section 308").

Regarding claims 3, 9 and 19

Anabuki teaches the color server further comprises: a color server to color correct the selected image in response to the image request (col. 10 lines 44-55, "A color information ... the color conversion section 308").

Regarding claims 4, 23 and 24

Anabuki teaches the computer network is an internet (col. 7 lines 43-45, "a distributed information ... including the Internet"); and the image request comprises a URL address of the requested image (col. 10 lines 24-27, "In the WWW browser 300 ... to the HTML document").

Regarding claims 5 and 25

Anabuki teaches the URL address includes the address of the caching server (col. 10 lines 4-10, "In the WWW server 100a ... specified uniquely by URLs").

Regarding claims 6 and 26

Anabuki teaches the URL address includes the address of the color server (col. 11 lines 54-60, "When the user requests ... at step S1 or S2").

Regarding claims 7 and 27

Anabuki teaches the image request includes color correction information related to image display

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characteristics of the client (col. 15 lines 15-22, “a color conversion ... as an output profile”).

Regarding claim 8

Anabuki teaches the color server comprises: a color server to receive the image request from the caching server when the caching server cannot select an image from the cache in response to the request (col. 12 lines 39-44, “If the extracted URL is not ... call the corresponding profile”).

Regarding claim 10

Anabuki teaches the color server comprises: a color server to provide the color corrected selected image to the caching server (col. 13 lines 1-14, “The color conversion ... displays the display image”).

Regarding claim 11

Anabuki teaches the caching server comprises: a caching server to provide the color corrected selected image to the client and to the cache (col. 13 lines 9-28, “Last, the document image ... the servers can be distributed”).

Regarding claim 12

Anabuki teaches the cache comprises: a cache to store the color corrected selected image received from the caching server in association with one of the finite number of sets of image display characteristics (col. 9 line 62 to col. 10 line 3, “introduces a cache ... connected to the network”).

Regarding claim 13

Anabuki teaches a plurality of caching servers connected to the color server (col. 10 lines 4-10, “In the WWW server ... specified uniquely by URLs”).

Regarding claims 14 and 15

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Anabuki teaches at least one cache of color corrected images connected to each of the plurality of caching servers (col. 13 lines 17-28, “an HTML documents ... can be distributed”).

Regarding claim 17

Anabuki teaches receiving the image request at the color server to select an image in response to the request when an image cannot be selected from the cache in response to the request (col. 12 lines 39-44, “If the extracted URL is not ... call the corresponding profile”).

Regarding claim 18

Anabuki teaches selecting an image at the color server in response to the request when an image cannot be selected from the cache in response to the request (col. 12 lines 39-44, “If the extracted URL is not ... call the corresponding profile”).

Regarding claim 20

Anabuki teaches forwarding the color corrected selected image from the color server to the cache (col. 14 lines 48-56).

Regarding claim 21

Anabuki teaches forwarding the color corrected selected image from the cache to the client (col. 15 lines 23-28).

Regarding claim 22

Anabuki teaches storing the color corrected selected image in the cache in association with one of the finite number of sets of image display characteristics (col. 15 lines 15-22, “a color conversion ... as an output profile”).

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner *Thomas Pham*; whose telephone number is (703) 305-7587 and fax number is (703) 746-8874, Monday-Thursday and every other Friday from 7:30AM- 5:00PM EST or contact Supervisor *Mr. Anthony Knight* at (703) 308-3179.

Any response to this office action should be mailed to: **Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450**. Responses may also be faxed to the **official fax number (703) 872- 9306**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Thomas Pham
Patent Examiner

July 26, 2004

Ramesh Patel
RAMESH PATEL
PRIMARY EXAMINER 7/26/04
For Anthony Knight